

ORDINANCE NO. 2014-56

ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) TO ALLOW THE USE OF A PREFABRICATED BUILDING ON PROPERTY ZONED M-1 (INDUSTRIAL DISTRICT) FOR EXTENDED PERIOD OF TIME NOT EXCEEDING 42 MONTHS FROM THE EFFECTIVE DATE OF THIS ORDINANCE FOR A TEMPORARY SORTING FACILITY FOR THE LOADING AND UNLOADING, SORTING AND DISTRIBUTION OF MAIL PACKAGES. **PROPERTY LOCATED AT 6001 EAST 8 AVENUE, HIALEAH, FLORIDA.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its regular meeting of August 13, 2014, recommended approval of this ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The below-described property is hereby granted a special use permit (SUP) to allow the use of a prefabricated building on property zoned M-1 (Industrial District) for an extended period of time not exceeding 42 months from the effective date of this ordinance for a temporary sorting facility for the loading and unloading, sorting and distribution of mail packages. Property located at 6001 East 8 Avenue, Hialeah, Miami-Dade County, Florida, with land use classification of Industrial, zoned M-1 (Industrial District) and legally described as follows:

TRACT A, SBD PROPERTY, CONTAINING 57.35 ACRES, PURSUANT TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 122, AT PAGE 68, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Additional Penalties upon Violation of the Conditions of Use and/or Declaration of Restrictive Covenants.

Any change of the terms and conditions of the use identified in this ordinance and as provided in the Declaration of Restrictive Covenants, will cause a revocation of the Special Use Permit and of the city occupational license issued in connection herewith and the property shall revert to the zoning classification without the benefit of the special use and associated variances.

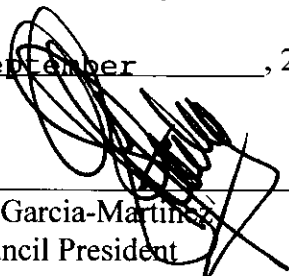
Section 5: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 6: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 23 day of September, 2014.




Isis Garcia-Martinez
Council President

Attest:

Approved on this 25 day of September, 2014.



Marbelys L. Fatjo, Acting City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena E. Bravo, Acting City Attorney

Ordinance was adopted by a unanimous vote with Councilmembers, Caragol, Cásals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".

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THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.